UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1996/SR.15
30 May 1996

ENGLISH
Original: FRENCH

COMMISSION ON HUMAN RIGHTS

Fifty-second session

SUMMARY RECORD OF THE 15th MEETING
(FIRST PART)*

Held at the Palais des Nations, Geneva,
on Wednesday, 27 March 1996, at 3 p.m.

Chairman: Mr. VERGNE SABOIA (Brazil)

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* The summary record of the second part of the meeting appears as document E/CN.4/1996/SR.15/Add.1.

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GE.96-11935 (E)

The meeting was called to order at 3.15 p.m.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES, INCLUDING:

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Situation in Burundi (E/CN.4/1996/16 and Add.1)

1. Mr. AYALA LASSO (United Nations High Commissioner for Human Rights) said that Burundi was at a crossroads. One road would perpetuate the tragic conflict that had already produced thousands of victims, especially among civilian members of the population. That road, which had been chosen by the extremists and armed gangs, had recently been denounced by the United Nations Security Council in its resolution 1049 (1996). The other road, which called for political dialogue to restore peace, was the one sought by the people of Burundi and the international community. It was with that goal in mind that he had decided, at the start of his term, to launch a broad prevention programme in Burundi in cooperation with the Centre for Human Rights. The programme had already fostered recognition of the importance of respect for human rights, democracy and the rule of law, but training efforts needed to be bolstered, in particular those aimed at enhancing discipline in the army and the security forces. Training of the judiciary should be strengthened as well, and the judicial system fully reorganized so as to guarantee respect for the law. All such technical assistance efforts were supervised by the office of the Centre for Human Rights that he had set up in Bujumbura in June 1994.

2. He welcomed the fact that the first human rights observers would begin their tour of duty in Burundi within the next few days. Within the context of the global dialogue strategy and in cooperation with international agencies within the United Nations system, those observers would attempt to foster a climate of peace and reconciliation and, through their presence, act as a deterrent to violence and encourage the return of refugees and displaced persons. He hoped that the first team, made up of 5 observers, could be increased to 35 in the course of the current year, as originally agreed with the Burundian Government. The European Union had provided a generous contribution of $435,000 to cover operational costs for a span of three months. Substantial voluntary contributions would, however, be required if the $6.7 million necessary for the deployment of observers throughout the country in 1996 was to be secured, as a concrete expression of the solidarity of the international community with Burundi. It was likewise essential that all parties should undertake to ensure the security of the observers and their free movement within the country.

3. The day that the Commission was devoting to the situation in Burundi had given rise to two messages: vigilance and hope. Since, as the report of the Special Rapporteur on the human rights situation in Burundi had attested, the situation there had deteriorated in 1995, the international community must condemn any incitement to ethnic hatred, violence and violations of human rights. In view of that dangerous deterioration, practical measures should be taken to put a stop to the vicious spiral of destruction. But at the same time the international community must follow the path of hope by supporting

and recognizing the efforts of the Burundian Government to further the process of dialogue, in accordance with the Convention on Governance of September 1994. It fell to the Burundian people to follow the path of dialogue, peace and reconciliation, and it fell to the international community to continue to encourage the parties to the dialogue. The Burundian people could count on the support of the United Nations, the Organization of African Unity (OAU), and the European Union, and that of former Presidents Carter, Nyerere and Touré, to assist them in the restoration of peace and security. He personally would do his utmost to ensure that respect for human rights was at the heart of that dialogue.

4. Mr. PINHEIRO (Special Rapporteur on the human rights situation in Burundi), introducing his report (E/CN.4/1996/16 and Add.1), said that the special day which the Commission was devoting to the question of Burundi constituted tangible proof of the attention paid by the international community to the situation in that country.

5. He wished first and foremost to thank the Burundian authorities for their cooperation in the organization of his two visits, in June-July 1995 and January 1996, and for the constructive dialogue which they had enabled him to initiate. It was, in fact, through his contacts with those authorities and with the representatives of the diplomatic community and the United Nations system in Burundi, local and international NGOs, and humanitarian organizations working in Burundi, and with the help of information supplied by the Centre for Human Rights in Geneva and its office in Bujumbura, that he had been able to form a precise opinion of the situation.

6. From May 1995 to January 1996, Burundi had experienced a resurgence of violence against civilians, refugees and international humanitarian agency staff. The conflict had reportedly caused 15,000 deaths in 1995, mostly women, children and elderly people. The climate of fear and insecurity had become widespread, and extremist forces had exploited the feelings of mistrust, hatred and exclusion that were rending the country. The process of democratization had ground to a halt, and serious disagreements had arisen even within the Government and the National Assembly. The conflict was essentially of a socio-political nature, even though it was masked by ethnic overtones. Those chiefly responsible for the crisis were in fact at the very heart of power and by and large controlled the means of resolving it, together with those attempting to accede to power by force. Moreover, impunity continued to be rampant, notably for the assassins of President Ndadaye in 1993 and for those responsible for serious human rights violations. The crisis had severely affected the education system, and the media had either been appropriated by extremist forces or censored. However, agencies and organizations active on the spot were valiantly struggling to defend the weakest members of the population and to cope with the crisis. But the country's resources were running out, and financial and economic collapse was imminent.

7. The international community could no longer remain silent in the face of so much suffering, even though some fleeting signs of improvement had been evident at the beginning of the year. In order to prevent a resurgence of violent conflict, uncontrolled migration within the country or across its borders and dangerous destabilization in the Great Lakes region, action must

be taken at several levels. He recommended, first of all, consolidating democratic institutions by assisting the authorities in reforming the judicial system, so as to bring to justice not only the 6,000 detainees awaiting trial but also the known perpetrators of massacres and other acts of violence. The Burundian authorities should also be encouraged to act on the recommendations formulated in December 1995 by the Technical Commission on the National Debate, so as effectively to implement the Convention on Governance adopted in September 1994, which provided for sharing of power in accordance with the results of the June 1993 election. The Burundian authorities must also refrain from any incitement to violence and ethnic hatred and must discourage any tendency to resort to force as a means of gaining power.

8. In order to stem insecurity, the authorities must combat organized crime, which was growing steadily worse, and must tolerate no further abuses by elements of the army or the security forces. To that end, the respective roles of those bodies must be clearly demarcated, and their recruitment base broadened. If civil society was to be strengthened, support for local civil-society organizations, especially those assisting disaster-stricken populations, was essential. For human rights to be promoted, the office of the Centre for Human Rights in Bujumbura must be strengthened. The international community must also enhance its operational presence in Burundi by permitting the rapid deployment of human rights observers.

9. In order to realize those recommendations, the international community must first and foremost help to create a new momentum in Burundi which would eliminate the persistent practice of granting impunity to the perpetrators of flagrant and massive human rights violations. By simply taking action to appear to be avoiding the worst, the international community was in fact condoning all kinds of human rights violation. The time had thus come to send a message to the authorities, clearly denouncing the violence; the time had likewise come for the main actors in the international community, the governing bodies of the United Nations system and the humanitarian agencies in the field promptly to agree on a global strategy incorporating the human rights dimension and addressing that country's problems as a whole. In that regard, it was crucial to strengthen the resources of the OAU International Observer Mission, whose outstanding work deserved support. The allotment of resources to the International Commission of Inquiry should also be increased; the Commission would publish its conclusions concerning the assassination of President Ndadaye in June. Pacification of the country would require the reinforcement of controls over the sale and supply of arms, and the freezing, by foreign banks, of assets belonging to Burundians involved in arms trafficking or in genocidal activities.

10. All parts of that strategy must enjoy the close cooperation of the authorities, and the two main tendencies represented in the National Assembly must establish genuine collaboration. Since the realization of the interests of the Burundian people required partnership between the international community and the authorities in Burundi, he wished to alert the international community to the need to defuse the crisis in that country before it was too late, and to advise the Burundian authorities that their country and people stood little chance of survival as long as violence, impunity and civil war persisted.

11. Mrs. MUJAWAHA (Burundian Minister for Human Rights, Social Action and the Advancement of Women) said that her country welcomed the interest shown by the international community in general, and the Commission on Human Rights in particular, in the political and social crisis that had persisted following the assassination of President Melchior Ndadaye on 21 October 1993. She emphasized, however, that the views expressed on the human rights situation in Burundi needed to be supplemented or even rectified, as did the report of the Special Rapporteur. In order that States and the international agencies might gain a better understanding of the efforts being made by Burundi to restore the rule of law, she would provide a brief overview of the situation in her country in the political, social, economic and judicial spheres, and in the area of respect for human rights.

12. It must be understood that Burundian institutions, which had been shaken by the attempted coup d'état of 21 October 1993, had gradually been restored. On 10 September 1994, a Convention on Governance had been signed between the political partners. Since then, her Government had spared no effort to restore peace and security. Various actions were under way: campaigns to pacify the population, preparations for a national debate on the country's problems, cooperation in evaluating the implementation of the Convention on Governance and, if necessary, remedying its weaknesses, and cooperation efforts by the Carter Center, with former Presidents Nyerere, Touré and Carter and Monsignor Desmond Tutu, to restore peace and security in the Great Lakes region. Those efforts were accompanied by the political will to find a workable solution to the problems affecting the security forces, the police, and the magistrature.

13. Displaced persons had recently begun to return to their towns and villages of origin, but the capital continued to suffer from an excess of insecurity and the lack of an infrastructure to receive them. Aware that public confidence must be restored, the Government was undertaking an in-depth training programme to enhance professionalism and discipline in the ranks of the security forces. In the areas of health and education, the situation was very difficult. Much of the health infrastructure had been destroyed, and many medical professionals had died or fled. The education sector also suffered from a dire lack of human and material resources. Many teachers and students had been killed or forced to leave. In economic terms, no sector had been spared. Criminal acts and vandalism had severely shaken the country's economy.

14. The re-establishment of the criminal courts was gradually resolving the problem of impunity, one of the gravest ills of the Burundian justice system. The International Commission of Inquiry set up to investigate the assassination of President Melchior Ndadaye and other crimes committed after his assassination should serve to deflect the charges of partiality and lack of neutrality often levelled at the Burundian magistrature. Unfortunately, there was one distressing situation that had not yet been resolved: many defendants were unable to find a lawyer to counsel them before the criminal courts at first or second instance.

15. Prior to the crisis of October 1993, Burundi had been staunchly committed to the promotion and protection of human rights. Today it was no less committed: the Convention on Governance, adopted on 10 September 1994, the

Government's plan of action, introduced by the Prime Minister on 29 March 1995, and a number of other communications from the Burundian authorities referred to respect for human rights. A framework agreement had recently been concluded between the United Nations and the Government of Burundi concerning the activities of the United Nations Human Rights Observer Mission in Burundi. Her Government was in the process of setting up a national commission on human rights, which should be given sufficient powers to combat every form of human rights violation. Mention should also be made of the outstanding work of the human rights associations in Burundi.

16. Her Government continued to be confronted by many obstacles: in addition to its economic problems, reference should be made of the constant breaches of human rights perpetrated by armed gangs and criminals, the suffering of displaced persons, the fate of Burundian exiles in neighbouring countries, the presence of Rwandan refugees on Burundian soil, the proliferation of firearms throughout the country, and the danger inherent in the propagation of an ideology of violence and hatred by certain public and private branches of the media. Faced with those numerous but not insurmountable problems, her Government was determined to do its utmost to rescue the country from crisis. From the Commission on Human Rights, it expected not judgement but objective understanding of its problems, without obfuscation or exaggeration. It entreated the international community to assist it in rebuilding its economy and in restoring the rule of law.

17. Mr. SPIEGEL (United States of America) asserted that Burundi currently stood on the brink of catastrophe. Two paths lay before it: that of violence and genocide, and that of reconciliation and development. It was for the Government and citizens of Burundi to choose the path to their future. In the face of the mounting dangers, the international community must search for ways of helping the Burundians to help themselves.

18. His delegation welcomed the Commission's decision to devote a special meeting to Burundi, thereby departing from the rigid format that often characterized its discussions. Having played a role in the preparation of the special meeting, it wished to thank all participants. During the past two years, the United States had provided over $100 million in humanitarian assistance to Burundi. It must be recognized, however, that the violence rending that country made the work of humanitarian organizations and human rights monitors extremely difficult. All of that country's political leaders, in both Government and opposition, needed to dedicate themselves to a common goal, namely, bringing a halt to the ethnic violence that was mangling the nation. Violent elements must no longer be permitted to remain in positions of authority either in the Government or in the security forces. As its representative to the United Nations, Mrs. Madeleine Albright, had stated during her visit to Bujumbura in January, the United States would not support or assist any Government that came to power by force. Its goal was the creation of a stable, moderate Burundi, where Hutus and Tutsis could live and work together.

19. One of the more interesting approaches to the situation in Burundi was the African initiative to promote peace and reconciliation in the Great Lakes region. In the spirit of the Conference of Heads of State of the Great Lakes Region his Government called on the countries of the region to halt the flow

of arms to Burundi and to cease all military training of rebel groups. It also asked those States to ensure that their territory was not used for inflammatory radio broadcasts.

20. However, the situation in Burundi was not just a problem for the States of the Great Lakes region. It was also a test for the Commission and for the ideals for which it stood. Means must urgently be found to bolster respect for human rights in Burundi, and to help the parties to hold serious negotiations. To that end, the number of human rights monitors in Burundi should be increased. For their part, the Administration and the Congress of the United States of America were working together to commit $300,000 to support the human rights monitoring operation. The entire international community must stand by the people of Burundi so as to contain the demons of destruction and avert another genocide in central Africa.

21. Mr. MBA ALLO, (Gabon), speaking in his capacity as Chairman of the Group of African States, recalled that, with the legislative and presidential elections of 1993, Burundi had initiated a democratic process in an exemplary manner. Unfortunately, the plane crash that had caused the deaths of the Rwandan and Burundian Presidents in 1994 had thrown Rwanda into frightful genocide and paralysed Burundian institutions.

22. The special representative of the Secretary-General of the OAU and his United Nations counterpart had been closely associated with the negotiations between the Burundian political parties, which had led to the signing, on 10 September 1994, of the Convention on Governance by peaceful and moderate elements. However, that Convention had not yet succeeded in restoring security and stability, and extremists of every ilk continued to sow death and destruction in many provinces of Burundi. What could the international community do to confront a situation which bode the worst?

23. The military component of OAU's International Observer Mission in Burundi (OMIB) had been deployed in all provinces and was working on a daily basis to prevent and resolve conflicts between the communities. OMIB's military doctors were providing very welcome relief in the camps for displaced persons and in villages that had no medical facilities. In that regard, he commended all the donor countries that had assisted OAU in launching and maintaining its mission in Burundi, and welcomed the reports of successful cooperation between OMIB, the High Commissioner for Refugees and a number of NGOs working in the field. He nevertheless hoped for better coordination among the various initiatives for the promotion of a lasting solution to the problems of Burundi and other countries of the Great Lakes region.

24. It was especially important that viable political solutions should be found to the serious problem of refugees and displaced persons. The refugee burden weighed heavily on the economy, ecology and social fabric of the receiving countries. Persons displaced within their own country were living in a state of virtual destitution. Since the internal conflicts of the post-cold war period were generating more and more large-scale migrations within national borders, the international community should formulate an international instrument on that question and supply adequate assistance to the displaced persons.

25. In Burundi, the international community must do its utmost to assist the Government in warding off the spectre of genocide. Emphatically, the Tutsis' enemy was not the Hutus, and the Hutus' enemy was not the Tutsis. Their common enemy was fear of the other and fear of the future. If Burundi was to return to the path of peace and development, all efforts must focus on that point.

26. Mr. SALGADO (Brazil), speaking also on behalf of Argentina, Bolivia, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Honduras, Nicaragua and Peru, welcomed the Commission's decision to devote a special meeting to consideration of the human rights situation in Burundi. No concerns of a financial or material nature should deter the international community from swift and effective action to prevent further deterioration of the crisis in Burundi and facilitate rehabilitation.

27. His delegation commended the efforts made by the Secretary-General's Special Rapporteur on Burundi and OUA through its International Observer Mission in Burundi (OMIB), and the joint initiative by former Presidents Carter, Touré and Nyerere. Bearing in mind that all human rights were indivisible and interrelated, it endorsed the views expressed by the Special Rapporteur on Burundi, Mr. Pinheiro, in his report (E/CN.4/1996/16/Add.1); he had called for a coordinated and comprehensive international strategy for addressing the whole range of problems besetting Burundi, with a view to strengthening democracy and the rule of law, building a culture of human rights and tolerance, and promoting economic and financial reconstruction.

28. Regarding the administration of justice, Burundi urgently required international assistance to reform the judicial system and, in particular, put an end to impunity. In addition, the Offices of the Secretary-General's Special Representative for Burundi and of the High Commissioner for Human Rights must be reinforced and a number of human rights observers rapidly deployed to record cases of violence and prevent further violations. Sufficient financial resources should therefore be made available for that purpose. His delegation strongly recommended exploring the possibility of making an appeal to voluntary "white helmets", as had been suggested in the case of Rwanda. The International Commission of Inquiry on Burundi must likewise be given the necessary human, material and financial resources to enable it to adequately perform its task.

29. In so far as human rights violations in Burundi also threatened peace and security throughout the Great Lakes region, all neighbouring States should cooperate in helping to restore peace in Burundi, particularly in order to put an end to arms trafficking and radio broadcasts inciting racial hatred and intolerance.

30. By taking action on the draft resolution currently before it regarding the human rights situation in Burundi (E/CN.4/1996/L.4), the Commission would be sending a message of solidarity to the people of Burundi and reiterating its desire to take an active part in efforts to achieve a peaceful and lasting solution to the current crisis. Nevertheless, it should not be forgotten that it was first and foremost up to the Burundians themselves and their neighbours

to reach a political settlement which would take into account the multi-ethnic nature of their societies and the legitimate aspirations of all groups to participate fully in public life.

31. Mr. LEGAULT (Canada) regretted that the promising process of political reform initiated in 1993 in Burundi had been undermined by those seeking to retain power at all costs, who had drawn the country further into civil unrest. The use of an ideology of exclusion and genocide by extremists as a means of maintaining or securing power was to be condemned; Canada supported the Declaration on that matter adopted by the region's leaders in Tunis. However, Burundi's specific circumstances must be borne in mind if the help given to the country was to be meaningful; it must not be assumed that there would necessarily be a repetition of events in Rwanda.

32. The picture of the situation in Burundi painted by the Special Rapporteur in his report (E/CN.4/1996/16/Add.1) was indeed a sombre one. The situation could only have negative effects on peace, security and economic development, not only in Burundi but throughout the region; humanitarian needs had become so pressing that they were absorbing resources badly needed for long-term development. Recently, however, improved security had permitted the resumption of national dialogue, which must underlie credible power-sharing arrangements for the benefit of all Burundians. But the international community must not interpret those positive signs as indicating that a solution was imminent or that it could afford to slacken its efforts.

33. Consequently, the Commission should encourage the Government of Burundi to intensify its preparations for national dialogue and meet its commitments to the National Pact of Peaceful Coexistence, to a constitution, and to free and fair elections in 1998. The Commission should call on the Government to work swiftly for the reform of public institutions and take concrete measures to put an end to impunity for those guilty of human rights violations. It should also ensure respect for the rights of the individual and international humanitarian law by the armed forces and security forces. The Centre for Human Rights could organize another training seminar on such issues. The Commission should also act promptly on Burundi's request for the deployment of human rights observers and remind the Government of its responsibility to ensure their safety and guarantee Burundi's access to national and international humanitarian organizations. The Commission should also support the quiet and effective work of the OAU military observers. But, above all, the Commission must ensure that human rights were an integral part of all political and diplomatic efforts to restore stability in Burundi. In due course, it would be necessary to organize a regional conference under United Nations and OAU auspices to focus and direct the efforts of the international community and provide follow-up on the highly complex issues of the region, namely, human rights, justice, refugees, reconciliation, security and stability, and economic development.

34. His delegation nevertheless emphasized that it was primarily for the Burundians themselves to solve Burundi's problems; solutions imposed by outsiders were unsustainable. It therefore urged all of Burundi's political parties to work for power-sharing arrangements which responded to the legitimate needs and concerns of Burundians of all ethnic groups, through dialogue and peaceful means.

35. Mr. MINE (Japan) said that, like other members of the international community, his country was greatly alarmed by the tragic events occurring daily in Burundi and therefore welcomed the decision of the Commission on Human Rights, taken on the initiative of the Group of African States, to convene a special meeting on the situation in that country.

36. In his report on the question, the Special Rapporteur, Mr. Paulo Sergio Pinheiro, had noted an increase in human rights violations in Burundi, which had resulted in an influx of refugees into neighbouring countries. The ethnic conflict in Burundi was like a smouldering civil war; in order to improve the human rights situation, it was essential to end the war. The promotion of reconciliation and reconstruction of the democratic process, together with reform of the judicial system, must therefore be given high priority. The people of Burundi would need the assistance of the international community both for that purpose and to ensure the return of refugees to their homes. His Government welcomed the joint action taken by UNHCR, the Government of Rwanda and the Government of Burundi within the framework of the "Tripartite Commission". The establishment of that Commission, whose main goal had been the repatriation of refugees, had also greatly contributed to improving relations between the countries of the region, and it was to be hoped that it would lead to the restoration of mutual trust between them. His Government also supported the efforts made by OAU and by the mediators appointed at the Conference of Heads of State of the Great Lakes Region in Cairo on 20 November 1995 to promote the resumption of dialogue and reconciliation among the various forces in Burundi, in the hope that those efforts would enable peace and order to be restored to that country. It would further support action by other organizations within their respective mandates, and in particular the human rights monitoring programme which the United Nations High Commissioner for Human Rights was intending to set up.

37. Mr. MENDOZA (El Salvador) noted with interest the recommendations made by the Special Rapporteur in his reports on the human rights situation in Burundi concerning the administration of justice and the widespread impunity. The Special Rapporteur described the situation in Burundi as "genocide by attrition," which accurately conveyed the climate of inter-ethnic violence that had led to serious human rights violations and also to the collapse of the national economy. That crisis situation had caused the influx of refugees into neighbouring countries and massive population movements within Burundi. The international community must find means of solving the problem of those populations and particularly the most vulnerable groups, i.e. disabled persons, whether they had been disabled prior to the conflict or been disabled by mine blasts during the conflict. In order to protect human rights in Burundi it was essential to reinforce the action of the Centre for Human Rights and draw up a human rights technical assistance programme for Burundi. Of equal importance was the deployment of the 35 human rights observers requested by the United Nations High Commissioner for Human Rights to prevent further violations.

38. His delegation considered that the draft resolution on Burundi before the Commission (E/CN.4/1996/L.4), of which El Salvador was a sponsor, contained the key elements for a solution to the Burundi crisis and that the proposals it made should permit a return to peace and reconciliation. His delegation

wished to stress the importance not only of human rights training courses but also of teaching both in and out of school and by the media in preventing human rights violations. It was therefore essential that judicious use should be made of the media to promote peace and reconciliation and not, as was currently the case, to disseminate messages of hatred and intolerance. It would also be necessary, as the Special Rapporteur had pointed out, to support the efforts of the Government of Burundi to fight organized crime and delinquency, which constituted a further obstacle to the establishment of a climate of peace and security.

39. Lastly, his delegation suggested that it might be useful to convene a regional conference on security, stability and development in the Great Lakes region in view of the adverse repercussions of the situation in Burundi on its neighbours. It emphasized the need for international financial assistance for Burundi to ensure that the situation returned to normal. It was, however, convinced that trust should be placed in the people of Burundi themselves, who had already taken very positive steps to restore peace.

40. Mr. ROGOV (Russian Federation) said that his delegation welcomed the fact that the special meeting which the Commission was devoting to the human rights situation in Burundi had been convened on the initiative of the Republic of South Africa and other African States. There was in fact no substitute for regional experience in developing the best possible models for overcoming the current crisis.

41. His delegation had been concerned to learn from the Special Rapporteur's conclusions that tension had risen again in Burundi. The process of democratization had been halted, the economy was collapsing, hostility between ethnic groups was growing and criminals remained unpunished.

42. It was vital for Burundi's future that all the sound elements of society, together with the regional structures and the international community as a whole, should unite their efforts to promote national reconciliation and strengthen the rule of law. In that connection, his Government welcomed the opening of an office of the High Commissioner for Human Rights in Bujumbura and the activities of the Special Representative of the Secretary-General for Burundi and the OAU International Observer Mission. An extremely important role also devolved on the International Commission of Inquiry if a repetition of the scenario in Rwanda was to be avoided in Burundi. The mission's presence in Burundi should be extended and the number of observers increased, as the Government of Rwanda wished.

43. With a view to the restoration of national dialogue in Burundi, his delegation also supported the idea of organizing a conference to be attended by representatives of all the political forces in Burundi who regarded themselves as responsible for the future of their nation. OAU could play a leading role in preparing and organizing such a conference, in close collaboration with Burundi's neighbours and, of course, with the support of the United Nations and the international community as a whole. That gave the Commission on Human Rights a chance to prove that it was not just a platform for debate where speakers practised the art of oratory by adopting without delay specific measures to halt the bloody escalation of violence, confrontation and intolerance in Burundi.

44. Mr. TORELLA DI ROMAGNANO (Italy), speaking on behalf of the European Union in association with the countries of central Europe (Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovak Republic) and Cyprus and Malta, welcomed the Commission's decision to hold a special meeting on Burundi. The presence of the Minister for Human Rights of Burundi, Mrs. Majahawa, was proof of the interest of the Burundian authorities in that initiative.

45. The situation in Burundi was indeed a matter for concern, as the Special Rapporteurs of the Commission on Human Rights and the envoys of the European Union had observed during their missions. The climate of violence into which the country had been plunged was aggravated by arms trafficking in the region, by the pernicious activity of the media which fuelled racial hatred and by the breakdown of the judicial system. Despite the endeavours of the national authorities, it must be admitted that they were incapable of ensuring the rule of law and guaranteeing public order. The prevailing insecurity, apart from being at the origin of a dramatic humanitarian crisis, was an impediment to the activities of the international organizations and humanitarian bodies.

46. It was obvious that any improvement in political, social and humanitarian conditions in Burundi must be the result of a reconciliation process in the context of the national debate for which the Convention on Governance made provision. Power-sharing was also essential. Clearly, the army and the security forces must place themselves at the service of the democratic institutions in their respective spheres of competence and respect human rights and international humanitarian law.

47. While it was incumbent first and foremost on the Burundians to seek a peaceful settlement of the crisis, the support of the international community was nevertheless still necessary. The European Union welcomed the peace efforts made by the United Nations and OAU, which should, inter alia, culminate in the organization of a regional conference for peace, security and stability in the Great Lakes region. It also paid tribute to the activity of President Nyerere as mediator. And it supported the Special Rapporteur's proposal that the number of human rights observers should be significantly increased and asked the authorities of Burundi to give their assent to the proposal as soon as possible. It also supported the technical assistance activities of the Centre for Human Rights, and offered to support and contribute to the activities of the Office of the High Commissioner for Refugees and those of other humanitarian organizations.

48. Mr. GYGER (Observer for Switzerland) also welcomed the initiative taken by the Group of African States in calling for a special meeting on Burundi. The situation in that country continued to cause great concern, although some recent positive developments were worthy of mention, such as the return of displaced persons to their communities and the partial resumption of the activities of the humanitarian institutions, and ICRC in particular. Violence was fuelled by extremists from both ethnic groups who exploited the feelings of distrust and hatred between the two communities for their own benefit. Ordinary citizens increasingly tended to carry arms, a fact which caused numerous incidents. The functioning of the judicial system was defective and the behaviour of the security forces was often open to criticism; many arbitrary arrests and detentions had been reported.

49. The international community, confronted with that dramatic situation, had admittedly not remained passive; one had only to recall the signing of the Convention on Governance, the sincere commitment of mediators like former President Nyerere, and the presence of the Special Representative of the Secretary-General of the United Nations, the Special Envoy of the European Union, OAU observers or the International Commission of Inquiry to establish responsibility for the assassination of President Ndadaye.

50. It was, however, with the people of Burundi that primary responsibility for finding solutions to the crisis in their country lay. The solutions should be sought locally, in institutional and constitutional arrangements which would enable all Burundians to live together in peace and stability. A better distribution of posts between Burundi's two major ethnic groups in key sectors such as the army, the judiciary, the security forces and education would help to restore a climate of trust. The Technical Commission on preparations for the national debate had made some interesting proposals in that regard.

51. The friends of Burundi had a duty to encourage such activity, as his Government was fully prepared to do. It intended to continue to provide humanitarian assistance and support to the International Commission of Inquiry to establish responsibility for the assassination of President Ndadaye. It also intended to extend and increase its contribution for the current year to the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights in Burundi.

52. Mr. BERTELLO (Observer for the Holy See) said that the Commission, in the context of the special meeting it had decided to devote to the problem of Burundi, should not restrict itself to condemning human rights violations in that country, but should also demonstrate the solidarity of the international community with the local population, by supporting efforts to find a solution to the crisis and return to the path of dialogue. Among the causes of the events which had steeped the country in blood in recent years, his delegation would single out the weakness of the judicial system, impunity, extremism which exploited racial rivalry as an instrument of social power, the delivery of arms to militias of all kinds and the criminal propaganda of the "death media" which fuelled hatred.

53. In a letter to their congregations in July 1995 the Roman Catholic bishops had said that human lives were being sacrificed to ethnic origins or political parties. Violence had established itself as an ideology: repeated appeals for vengeance and the mobilization of young people under the banner of hatred had resulted in the savage and primitive ethnic cleansing of the hills, regions, districts or whole towns. Regrettably, what they had said then was still true. The violence had not spared the religious communities, which had already paid a heavy price in the civil war. But the Roman Catholic Church would remain faithful to its mission and continue to use all the means in its power to attempt to bring people back together and, through its institutions, contribute to humanitarian assistance to refugees and displaced persons and support Burundi's development projects.

54. His delegation supported the Special Rapporteur's recommendations to encourage Burundi to extricate itself from the crisis and resume a normal

existence. By giving its support to the peace initiatives as a matter of priority, the international community would help the Burundians themselves to reconstruct the fabric of their society and rediscover their national identity in a community where the diversity of ethnic, social and political groups would not only be tolerated but accepted as an asset. He hoped that the special meeting would enable the voices of all those who wished to build genuine peace in Burundi to be heard.

55. Mr. WILLE (Observer for Norway) said that his delegation was also deeply concerned about the situation in Burundi. It was the duty of the international community to take action to prevent the recurrence in that part of Africa of a genocide comparable to that of Rwanda.

56. Violence in Burundi was principally caused by extremist groups which were trying to destabilize the existing Government. His delegation severely condemned the acts of violence, but could not approve the methods used by the army and the security forces to counter them. Answering violence with violence could not provide a lasting solution to the problem as it existed. Dialogue and reconciliation were the only possible means of creating the necessary conditions for restoring peace and human rights in Burundi. His Government thus welcomed the efforts recently made by the Government as part of its "awareness campaign" to attempt to break out of the vicious circle. In order to deal with internal divisions, however, the Burundian authorities would perhaps need to take more practical measures to integrate all population groups into the various State institutions, since reconciliation would hardly be possible unless whole groups could feel that they were fairly treated.

57. Another problem which helped to kindle feelings of injustice was the impunity enjoyed by criminals. His Government thus fully supported the work of the International Commission of Inquiry and called on the Burundian authorities to facilitate its task. In order to restore political stability, justice, reconciliation and peace in a climate of respect for human rights, Burundi would need the assistance of the international community. If the national authorities made a sincere effort along those lines, the international community would undoubtedly respond favourably to their request for assistance. However, that would mean improving local conditions of security both for civilians and for the humanitarian organizations, whose members were currently very exposed to danger.

58. His Government, which had allocated more than US$ 20 million of aid to Burundi and Rwanda in 1996, also actively supported the mediation efforts of President Nyerere and former President Carter in the region, and the preparations for the organization of an international conference on peace, security and stability in the Great Lakes region.

59. The meeting was suspended at 5.30 p.m. and resumed at 7 p.m.

The discussion covered in this summary record ended at 5.30 p.m.